

REMARKS

Applicant has carefully studied the Office action of October 5, 2009. To better distinguish their invention from the art of record, applicant has amended claims 1, 3, 4-7, 9 and 11 and have deleted claims 12-13. Applicant has added no new matter. Reconsideration of the rejections in view of the amendments and the foregoing remarks is requested.

To assist the examiner in better appreciating the differences and the art of record, applicant will briefly summarize his invention. As recited in amended claim 1, applicant claims a broadcast router that comprises at one first chassis and at least one second chassis. The first chassis has one of a first, a second, and a third configuration. The first configuration includes a plurality of input cards and no output cards. The second configuration includes a plurality of output cards and no input cards. The third configuration includes a plurality of input and output cards. The second chassis has one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively. The ability of each of the first and second chassis to have alternate parity configurations affords applicant's broadcast router greater flexibility as compared to broadcast routers of the prior art.

**35 U.S.C § 112 Rejection of Claims 3 and 11**

Claims 3 and 11 stand rejected under 35 U.S.C § 112, first paragraph as failing to comply with the enablement requirement. In particular, the examiner notes that claims 3 and 11 recite "card provides support protocols to change" which is not recited in applicant's specification.

Applicant has amended claims 3 and 11 to now recite "a control card to change input/output assignments". Ample antecedent basis for a recitation exists at page 7, lines 12-17 of applicant's specification. As amended, claims 3 and 11 are fully enabled, and applicant respectfully requests withdrawal of the 35 U.S.C § 112 rejection of these claims.

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### 35 U.S.C § 112 Rejection of Claims 1-13

Claims 1-13 stand rejected under 35 U.S.C § 112, second paragraph for indefiniteness. In particular, the examiner contends that claims 1, 7, 12, and 13 use the phrase "adapted for" which suggests or makes optional the claim structure.

Applicant has amended claims 1 and 7 to eliminate the phrase "adapted for" and has cancelled claims 12 and 13. In view of those amendments, claims 1-13 now fully comply with 35 U.S.C § 112. Applicant respectfully requests withdrawal of the 35 U.S.C § 112 rejection of the claims.

### Claim Objection

The examiner has objected to claims 5 and 6 because of the language "capable of." Applicant has amended claims 5 and 6 to remove such objectionable language.

### 35 U.S.C. § 103(a) Rejection of Claims 1-3, 5, 6, 12, and 13

Claims 1-3, 5, 6, 12, and 13 stand rejected under 35 U.S.C § 103(a) as obvious in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al.") in view of U.S. Published Patent Application 2002/169833 to Tani et al. (hereinafter, "Tani et al."). Applicant respectfully traverses the rejections in view of the amendments to the claims.

The Kimura et al. patent concerns an Asynchronous Transfer Mode switching module for routing packets from a switch input to a switch output. The examiner has cited Kimura et al. to show a switching module having a chassis with multiple modules/cards. To remedy the fact that Kimura does not specifically show a broadcast router, the examiner further cites the Tani et al. publication to show a multicast apparatus, suggesting that it would have been obvious to modify the ATM switch of Kimura to achieve multicasting capability as taught by Tani.

Applicant traverse the rejection for several reasons. First, applicant questions the propriety of the combination of Kimura et al. and Kimura to teach a broadcast router. The examiner admits at page 3 of the official action that Kimura does not specifically

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disclose a broadcast router. Indeed, Kimura et al. concerns an ATM switch which functions to route a packet from a single input to a single output, as is well known in the art. In contrast, a broadcast router serves to route signals from an input to one or more outputs. Routing packets in an ATM switch to multiple outputs (as is desirable in a broadcast router) would cause errors in the operation of the ATM switch. Thus, the examiner's proposed combination would not afford the necessary predictability as required by *KSR International v. Teleflex, Inc.* 550, U.S. 398, 127 S. Ct. 1727 (2007). Since, the teachings in Kimura would lead a skilled artisan away from any combination with Tani et al., the examiner's rejection must fail.

Assuming *arguendo* the propriety of the combination of Kimura et al., and Tani et al., neither the reference nor their combination teaches all of the features now recited in amended claim 1 and the claims that depend therefrom. Amended claim 1 now recites a broadcast router that comprises at one first chassis and at least one second chassis. The first chassis has one of a first, a second, and a third configuration. The first configuration includes a plurality of input cards and no output cards. The second configuration includes a plurality of output cards and no input cards. The third configuration includes a plurality of input and output cards. The second chassis has one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively.

The Kimura patent does not disclose a broadcast router having the features now recited in amended claim 1. Even if the ATM switch Kimura et al can be said to comprise a broadcast router, the Kimura et al. patent contains no disclosure of two separate chassis having the configurations now recited in applicant's claim 1. At best, the Kimura et al. ATM switch only has a single chassis having a configuration of both input and output cards. The Kimura et al. patent does not disclose or suggest a pair of chassis that can have alternate parity configurations as now recited in applicant's claim 1.

The Tani et al. multicast apparatus does not remedy the above-described deficiencies of Kimura et al. Like Kimura et al., Tani et al. does not disclose or suggest a pair of chassis that can have alternate parity configurations. Thus, neither reference, nor their combination, discloses all the features of applicant's claim 1. For this reason, the

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combination of Kimura et al. and Tani et al. does not render obvious applicant's claim 1 and the claims that depend therefrom.

### 35 U.S.C § 103(a) Rejection of Claims 4 and 11

Claims 4 and 11 stand rejected under 35 U.S.C § 103(a) as obvious over the combination of Kimura et al. and Tani et al., further in view US Published Patent Application 2003/0058880 in the name of Scott Sarkinen et al. (hereinafter, "Sarkinen et al.") Applicant respectfully traverses this rejection.

Claims 4 and 11 both ultimately depend from claim 1. Claim 4 recites the additional feature of an expansion card that arranges data using time division multiplexing. Claim 11 now recites a control card to change input/assignments. In rejecting claims 4 and 11 as obvious, the examiner contends that the combination of Kimura et al. and Tani et al. discloses a broadcast router and that it would have been obvious to implement TDM expansion cards as taught by Sarkinen et al.

As discussed above, the combination of Kimura et al. and Tani et al. does not render obvious applicant's claim 1 for at least the reason that neither reference, nor their combination teach all of the features of the claim as now amended. Specifically, the combination of Kimura et al. and Tani et al. does not teach applicant's broadcast router that can have alternate parity configurations.

The Sarkinen et al published application does not remedy the above-noted deficiency of Kimura et al. and Tani et al. At best, Sarkinen et al. discloses a queuing method and apparatus that makes use of a combination of routers and switchers. Line cards serve to condition signals applied to a switch fabric. Like the Kinura et al. and Tani et al. references, Sarkinen et al. does not teach applicant's broadcast router having alternate parity configurations. Therefore, the combination of Kimura et al., Tani et al. and Sarkinen et al. would not teach all of the features of applicant's claims 1, and by implication, claims 4 and 11. Therefore, applicants request withdrawal of the 35 U.S.C § 103(a) rejection of claims 4 and 11.

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**35 U.S.C § 103(a) Rejection of Claims 7-10**

Claims 7-10 stand rejected under 35 U.S.C § 103(a) as obvious over the combination of Kimura et al. and Tani et al., further in view of U.S. Patent 5,550,815 in the name of Thomas J. Cloonan et al (hereinafter, "Cloonan et al."). Applicant respectfully traverses this rejection.

Claims 7-10 both ultimately depend from claim 1. Claims 7-8 and 10 recite various features associated with a matrix card, whereas claim 9 now recites a control card. In rejecting claims 7-10 as obvious, the examiner contends that the combination of Kimura et al. and Tani et al. discloses a broadcast router and that it would have been obvious to implement a matrix card as taught by Cloonan et al.

As discussed above, the combination of Kimura et al. and Tani et al. does not render obvious applicant's claim 1 for at least the reason that neither reference, nor their combination teach all of the features of the claim as now amended. Specifically, the combination of Kimura et al. and Tani et al. does not teach applicant's broadcast router having alternate parity configurations.

The Cloonan et al patent does not remedy the above-noted deficiency of Kimura et al. and Tani et al. At best, Cloonan et al. discloses a packet switch having line interface cards at its input for buffering incoming packets. Indeed, the Cloonan ATM switch, like the ATM switch of Kimura routes packets from an input to a single output. Just as the Kimura et al. ATM switch teaches away from any combination with Tani et al. to provide a broadcast router, the Cloonan et al. patent would also teach away from any combination with Tani et al. for the same reason. Therefore, the combination of Kimura et al., Tani et al. and Cloonan et al. would not render obvious applicant's claim 1, and by implication, claims 7-10.

**Conclusion**

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the

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applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. 07-0832.

Respectfully submitted,  
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